

Janet Napolitano
Governor

Robert J. Maynard, O.D.
President

Robert B. Pinkert, O.D.
Vice President



Arizona State Board of Optometry
1400 West Washington, Suite 230
Phoenix, AZ 85007

Jack Confer
Executive Director

Telephone (602) 542-8155 • Fax (602) 542-3093

**MEETING NOTICE AND AGENDA FOR REGULAR SESSION MEETING
MARCH 19, 2004 SCHEDULED TO COMMENCE AT 9:00AM**

Americans with Disabilities Act: Persons with disabilities may request reasonable accommodations by contacting the Arizona State Board of Optometry (ASBOO) Executive Director, Jack Confer, at (602) 542-8155. Requests should be made as early as possible to allow time to arrange the accommodation.

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the general public and to the members of the Arizona State Board of Optometry, that a regular meeting, open to the public, will be held on March 19, 2004 at 9:00AM. The meeting will be held at 1400 West Washington, B-1 (Basement) in Phoenix, AZ. For further information regarding agenda material, please contact Margaret Whelan, Licensing Administrator, at (602) 542-8164.

The Board reserves the right to change the order of items on the agenda, except for public hearings set for a specific time. Please note that any recommendations listed on the agenda are merely suggested Board actions.

These recommendations do not become final until adopted by the Board. The Board has the authority to accept, reject or modify any recommendation listed on the agenda.

Board Members

Robert J. Maynard, O.D., President
Robert B. Pinkert, O.D., Vice President
Caroline Griego, O.D.
Christina M. Sorenson, O.D.
Curtis R. Winkler, M.D.
Lawrence Ponemon, PhD

Staff:

Jack Confer, Executive Director
Margaret Whelan, Licensing Administrator

Legal Counsel:

Blair Driggs, Assistant Attorney General

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| A. CALL TO ORDER: | Dr. Maynard |
| B. ROLL CALL: | Ms. Whelan |
| C. PRESIDENT'S REPORT: | Dr. Maynard |

D. INFORMAL INTERVIEWS:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03 (A) (2). In addition, the board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

1. ASBOO vs. Tim M. Takeoka, O.D., IR#200243 [Dr. Sorenson]

E. REVIEW, DISCUSSION AND VOTE ON INVESTIGATION REVIEWS/COMPLAINTS:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03 (A) (2). In addition, the board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

2. S.L. vs. Zuhair K. Samo, O.D., IR#200406 [Dr. Maynard]

F. REVIEW, DISCUSSION, AND POSSIBLE ACTION ON APPROVAL OF CONTINUING EDUCATION AS PROVIDED BY A.R.S. § 32-1704 (D) and A.A.C. R4-21-208.

The Board may hold an executive session to receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

Fiscal Year 2003/2004

	Continuing Education	Date	No. of hours requested
a.	Wisconsin Optometric Association-2004 WOA Spring Seminar	4/28-4/29/04	13 Regular
b.	California Optometric Association- Optowest 2004	4/29-5/2/04	124 Regular 15 PM
c.	Optometric Retina Society- Contemporary Care of the Macula	4/16-4/18/04	15 Regular
d.	Arizona Optometric Association- AzOA Annual Spring Congress	4/29-5/2/04	19 Regular 1 PM
e.	Midwest Vision Congress- Midwest Vision Congress and Expo.	5/13-5/16/04	20 Regular

G. REVIEW, DISCUSSION AND POSSIBLE BLOCK VOTE ON PENDING REGULAR LICENSE APPLICATION:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03 (A) (2). The board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

Ho, Winnie
Truong, Sonny

H. REVIEW, DISCUSSION AND POSSIBLE BLOCK VOTE ON PENDING Endorsement LICENSE APPLICATION:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03 (A) (2). The board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

Agnone, William
Engelman, Max
Stamper, Patricia
Busch, Nancy

I. REVIEW, DISCUSSION AND POSSIBLE VOTE ON UTILIZATION OF A NEW JURISPRUDENCE EXAMINATION.

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03 (A) (2). The board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

3. February 27, 2004, Regular Meeting Minutes
4. February 27, 2004, Executive Session Minutes

J. REVIEW, DISCUSSION AND POSSIBLE VOTE CONCERNING ILLINOIS COLLEGE OF OPTOMETRY CURRICULUM LETTER DATED JANUARY 20, 2004.

The Board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

5. Letter dated January 20, 2004 from Janice E. Scharre, O.D., Dean/Vice President for Academic Affairs

K. REVIEW, DISCUSSION AND POSSIBLE VOTE ON BOARD POLICY OR SUBSTANTIVE STATEMENT REGARDING A.R.S. 15-1745 (A) (2) (b), "AREA OF EXCEPTIONAL NEED."

The Board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

6. Draft Area of Exceptional Need Policy Statement

L. REVIEW, DISCUSSION AND POSSIBLE VOTE ON BOARD RESPONSE TO THE DEPARTMENT OF HEALTH & HUMAN SERVICES, HEALTHCARE INTEGRITY AND PROTECTION DATA BANK

The Board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

7. Draft Response Letter

M. REVIEW, DISCUSSION AND POSSIBLE VOTE ON PROPOSED RULES

The Board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

8. Draft Rules

N. REVIEW, DISCUSSION AND POSSIBLE VOTE ON REQUEST FROM THE COUNCIL ON OPTOMETRIC PRACTITIONER EDUCATION (COPE) FOR APPROVAL OF COURSE REVIEWER

The Board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

9. Letter dated January 23, 2003 from COPE

O. EXECUTIVE DIRECTOR'S REPORT:

The board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

10. Budget Report (Information Only)

- Budget Summary Report
11. Board Statistics (Information Only)
 12. Summary of Investigative Reviews (Possible Discussion)
 13. Board Correspondence
 14. Litigation Update: Nicholas Kowalczyk, O.D. vs. Arizona State Board of Optometry
 15. Legislation Update: HB2048, HB2585, HB2397, HB2451 and SB1269

P. CALL TO PUBLIC:

Dr. Maynard

Those wishing to address the Board need not request permission in advance; however, the Board may limit time of those persons speaking during the Call to the Public. Pursuant to A.R.S. § 38-431.02 (H), the Board can only take action on matters listed on the agenda. If appropriate, actions on public comment matters that are not listed on the agenda will be limited to directing staff to study the matter or schedule the matter for further discussion at a later date.

END OF AGENDA:

Jack Confer, Executive Director

Date